

Notice of Allowability

Application No.

09/944,474

Examiner

Anh Ly

Applicant(s)

GALLIVAN ET AL.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/26/2005.
2. ☒ The allowed claim(s) is/are 1-44.
3. ☒ The drawings filed on 31 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JEAN M. CORRIELUS
PRIMARY EXAMINER

DETAILED ACTION

1. This Office Action is response to Applicants' Response to After Final filed on 04/26/2005.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick J.S. Inouye, Esq. (reg. No. 40,297) on 05/16/2005.

The application has been amended as follows:

The first line of claim 1, "A system for analyzing unstructured documents" please rewrite as "A computer-implemented system for analyzing unstructured documents"

The first line of claim 9, "A method for analyzing unstructured documents" please rewrite as "A computer-implemented method for analyzing unstructured documents"

The first line of claim 18, "A system for dynamically evaluating latent concepts" please rewrite as "A computer-implemented system for dynamically evaluating latent concepts"

The first line of claim 18, "A method for dynamically evaluating latent concepts" please rewrite as "A computer-implemented method for dynamically evaluating latent concepts"

3. Claims 1-44 are allowed.

Allowable Subject Matter

4. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1-44 are allowed in light of the applicants' argument and in light of the prior arts of made record.

5. The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to a system and method for analyzing unstructured documents and evaluating concepts in unstructured documents. A multiplicity of concepts is extracted from a set of unstructured documents into a lexicon. The frequency of occurrence representation is created for the documents set and provides an ordered corpus of frequencies of occurrences of each concept, a group of weighted clusters of concepts selected from the concepts subset is generated and a matrix of best fit approximations is determined for each document weighted against each group of weighted clusters of concepts.

The closest prior arts, US Patent No. 5,510,406 of Marchisio teaches adding a new row to the term-document matrix for each phrase in the user query. The term-document matrix grows, row-by-row, based on the phrases occurring in the user query. And US Patent No. 6,701,305 of Holt teaches evaluating a score vector to determine the relative performance of the documents against the user query. The documents to return to a user are selected in a variety of methods typically by returning the best scoring documents identified, by applying a threshold to the individual scores, by taking a fixed number in ranked order or by statistical or clustering techniques applied to the scores. In combination, Marchisio and Holt both fail to teach "a subset of concepts out of the frequency of occurrences, grouping one or more concepts from concepts subset, assigning weights to one or more clusters of concepts for each group of concepts, a best fit approximation for each document weighted against each group of weighted clusters of concepts".

These distinct features, in conjunction with all other limitations of the dependents and independent claims render claims 1-44 them allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2162


Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to **(571) 273-4039**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: Central Fax Center (703) 872-9306.

ANH LY 
MAY 16th, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER